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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,726	11/10/2003	Warren M. Farnworth	2269-5558G US (99-0253.06)	5021
24247	7590	04/24/2007	EXAMINER	
TRASK BRITT P.O. BOX 2550 SALT LAKE CITY, UT 84110			KASENGE, CHARLES R	
			ART UNIT	PAPER NUMBER
			2125	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/705,726

Applicant(s)

FARNWORTH, WARREN M.

Examiner

Charles R. Kasenge

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 2/5/07 have been fully considered but they are not persuasive. The Office reasserts that Kacyra et al. U.S. Patent 5,988,862 discloses viewing a portion or an entire of a field of exposure (col. 37, lines 50-56) of a selective consolidation system... to identify a location of at least one feature within the field of exposure (col. 11, lines 49-55 and col. 16, lines 12-19)." The Examiner interprets the search and identification of "important features, or locations of high reflectivities (col. 11, lines 49-55)" as reading on Applicant's identifying a location of at least one feature within the field of exposure.

The Office reasserts that Kacyra discloses "selectively consolidating material based on the location of... at least one feature (col. 19, lines 10-20; col. 19-20, lines 60-6). Kacyra teaches scanning the objects and connecting (or consolidating) the objects (or materials) based on the connectivity (or connecting locations of objects).

The Office reasserts that Kacyra discloses "controlling locations at which... selectively consolidating is effected" based on processing of data of data signals to compare a viewed feature with a representation of at least one feature within a field of exposure of a selective consolidation system (col. 19, lines 10-20; col. 19-20, lines 60-6).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kacyra et al.

U.S. Patent 5,988,862. Regarding claims 1 and 10, Kacyra discloses a method for programmed material consolidation, comprising: viewing a portion of a field of exposure of a selective consolidation system of a programmable material consolidation apparatus to identify a location of at least one feature within the field of exposure (col. 3, lines 27-36 and 53-66; col. 11, lines 49-55; col. 16, lines 12-19); and selectively consolidating material on or proximate to the at least one substrate based on the location of the at least one feature (col. 19, lines 10-20; col. 19-20, lines 60-6; col. 20, lines 56-67).

Regarding claims 2-4 and 11-16, Kacyra discloses the method of claim 1, wherein viewing is affected as a camera is scanned over the field of exposure (col. 3, lines 53-66). Kacyra discloses the method of claim 1, wherein viewing includes rotatably orienting a camera positioned at a fixed location toward the portion of the field of exposure (col. 16, lines 26-33). Kacyra discloses the method of claim 3, wherein viewing further includes magnifying an image viewed by the camera (col. 26, lines 38-55).

Regarding claims 5-8 and 17-22, Kacyra discloses the method of claim 1, further comprising: transmitting data signals representative of at least one image of the field of exposure to at least one processing element (col. 3, lines 53-66); processing the data signals to compare a viewed feature with a representation of the at least one feature (col. 4, lines 12-18 and col. 15, lines 26-31); and based on the processing, controlling locations at which the selectively consolidating is effected (col. 4, lines 12-18; col. 15, lines 28-31; col. 19, lines 10-20; col. 19-20, lines 60-6). Kacyra discloses the method of claim 5, further comprising: positioning at least one

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substrate within the field of exposure (col. 3, lines 53-66). Kacyra discloses the method of claim 6, wherein transmitting data signals includes transmitting data signals representative of at least one image of at least a portion of the at least one substrate to the at least one processing element (col. 3, lines 53-66; col. 19, lines 10-20; col. 19-20, lines 60-6). Kacyra discloses the method of claim 5, wherein transmitting data signals includes transmitting data signals representative of at least one image including at least one fiducial mark within the field of exposure (col. 3, lines 32-36; col. 19, lines 10-20; col. 19-20, lines 60-6).

Regarding claims 9 and 23, Kacyra discloses the method of claim 1, further comprising: positioning at least one substrate within a field of exposure of a selective consolidation system of a programmable material consolidation apparatus (col. 20, lines 56-67).

### *Conclusion*

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R. Kasenge whose telephone number is 571 272-3743.

The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CK  
April 18, 2007

A handwritten signature in black ink, appearing to read 'L. P. Picard', with a long horizontal stroke extending to the right.

**LEO PICARD**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**